

**MINUTES OF THE 17 MAY 2006
TRINIDAD PLANNING COMMISSION MEETING**

I. ROLL CALL

Chairman Kenny called the meeting to order at 7:30 p.m. Other commissioners in attendance were Lake, Kenny, Odom and Fulkerson. Council Liaison Heyenga was absent. Parker represents staff in attendance.

APPROVAL OF MINUTES – none

II. APPROVAL OF AGENDA

There were no modifications to the agenda.

III. ITEMS FROM THE FLOOR

There were no items from the floor.

IV. AGENDA ITEMS

PLANNING COMMISSION DISCUSSION / ACTION / PUBLIC HEARING ITEMS

1. Museum Society 2006-04: Design Review and Coastal Development Permit to remove the old “Underwood House” at the end of Ewing St. and place it on the vacant lot behind the Chevron Station for use as a museum. Other aspects include streets improvements and landscaping. Located at the vacant lot behind the Chevron Station at the intersection of Main Street and Patricks Point Drive and 409 Ewing St; APNs: 042-051-34; 042-041-56.

Parker began by summarizing the staff report. She explained that this project involves both a removal demolition permit for the old Underwood House, at the end of Ewing Street behind the HSU Marine Lab. The owners have given the building to the museum society. The museum society is going to relocate the building to the vacant lot behind the Chevron Station and use it for a museum. The property has been donated to the North Coast Land Trust to be used for a city park, museum, and possibly a library in the future. The approval under consideration is for both removing the house from its current location, placing it on the property behind the Chevron Station, and for street improvements.

Questions from the Planning Commission included, whether the precise location is laid out as to where the house will be placed on the new property and whether a foundation will be developed on the new site for the building. S. Baker (designer) indicated yes to both. Additional questions regarding street improvement dates and funding were mentioned. Parker indicated the city is using gateway funds and

Humboldt Transit Authority (HTA) funds, which have been approved through the agencies so the funding is secured.

There was interest in whether the new location, upon development, is planning to utilize Low Impact Development (LID) techniques and whether it is enforceable to require use of LID techniques. Parker indicated that the materials to be used are not currently specified, however staff is encouraging use of LID designs aimed at reducing the amount of storm water runoff directed into the city storm drain and to increase onsite percolation. While use of LID designs is not currently required, the staff would like to encourage that by leaving room that the final street improvements and the types of materials used to be approved by the city engineer. Considering that applicants are typically interested in savings in addition to compliance, other questions involved cost comparison of LID designs versus standard techniques. Parker responded by stating that the prices are some what comparable. The Planning Commission indicated a desire for LIDs to be incorporated into the project design; Parker stated that she would provide this recommendation to the City Engineer.

Utilization of the state historic code brought about some concerns of relaxations of standards and exceptions to current code requirements. Accessibility and compliance with ADA was the primary concern. Parker responded by confirming that the project is aiming to be ADA compliant where feasible. S. Baker added that there is no leeway on public health and safety items and in regards to ADA compliance everything on the inside will be accessible.

The Planning Commission asked a question in regards View Protection Finding C and whether it would restrict the property owners in their future building plans Parker indicated that the finding serves as a protection of building rights, rather than restriction. In response to the new building plans they are not restricted to building what was there and the new building may be as big as the previous structure.

Motion: Fulkerson made the following motion: *Based on the information submitted in the application including the staff report and public testimony, I move to adopt the information and findings in the staff report and approve of the project as conditioned in the staff report.* Motion seconded by Lake. Motion passed unanimously. Fulkerson added that she appreciates the thought put into this project and that it will be a benefit to the City and an improvement to the entrance to town.

2. Jacolick 2006-05: Design Review and Coastal Development Permit to remove an existing sunroom and deck and add 353 s.f. to the living and dining area on the main level of an existing residence. 789 Underwood Drive; APN: 042-041-03.

Staff summary: The project involves the removal of an existing sunroom and deck to be replaced with an additional 353 sq. ft. of living space. The main issue with this property involves the second unit. Both units were constructed concurrently in 1986 after the zoning ordinance was in place and therefore a second unit should not have been constructed. The current Zoning Ordinance requires 8,000 sq. ft. of lot area per dwelling unit. Another problem arises when considering the requirements issued by the department of health, which specifies that there should be a septic system for each unit on the property. In this case because there are two kitchens, to be in compliance, this property would need to have two septic systems. The existing septic system is sized for a three-bedroom residence, the main residence is a two bedroom and the second unit is one bedroom. Considering the total square footage, the footprint with floor to area ratio, and given that the second unit is currently not in use, staff is processing this application as if it were one unit. For the standard deed restrictions staff suggests that the residence be limited to one unit with three bedrooms. Given the floor to area ratio is pretty low on this house, staff, at this point, is not proposing requiring the removal of the second kitchen.

Other than that everything else seems straightforward. All the zoning standards, set backs, and heights are clearly met. The design review in view protection findings need to be made. The only one that would be unusual is design review finding H, which states that residences with more than 2000 square feet in floor area shall be considered out of scale with the community unless they are designed and situated in such a way that they are not obtrusive. The proposed addition will result in a house that is 2,677 sq. ft (considering both units), which is above the 2000 square feet guideline, however this is really only a net addition of 248 sq. ft. and it can be found to not significantly increase the size, the bulk, or the obtrusiveness of the structure. The standard floor to area ratio is based on 2,000 square feet is 25% of an 8,000 square feet lot. In this case the floor to area ratio is only 19%. This property is built on a hill and appears to be two levels from Underwood and three levels from below.

Parker explained that problems may arise in that most lots are not feasible to have two separate septic systems. Rather than doing away with all second units, Parker suggests that if the septic system is sized appropriately and is functioning, to use a performance based condition as to whether these second units can remain. Parker explains that the issue of second units needs to be addressed and in order to get our standards up to state requirements she suggests that the planning commission consider this issue into the budget for next year.

This precipitated a discussion regarding second units and the review of the OWTS Ordinance, the next item on the agenda. Questions and concerns included the history of the 2000 sq. ft. guidelines; whether we (staff, commission) have the authority to impose Standard deed restriction conditions; and joint concerns regarding a clear policy or mechanism for septic systems, household sizes, and houses exceeding the septic systems capacity. These and other issues will be addressed under the third agenda item to review the OWTS Ordinance. Kenny brought up a concern about placing deed restrictions on properties when it is not actually in any ordinance. Parker responded that it has been a written policy for 10 years. There was a discussion, and Kenny still noted concerns.

Motion: Fulkerson made the following motion: *Based on application material, information and findings included in this Staff Report, and based on public testimony, I move to adopt the findings in the staff report and approve the project as conditioned in the staff report. Motion seconded by Odom. Motion carries: 4-0-1, with Kenny abstaining due to concerns about the required deed restriction.*

3. Review of Draft Trinidad OWTS Ordinance

Parker stated that the OWTS Ordinance from March 2006 remains in draft form. There was a brief discussion of the draft ordinance, funding, second units and septic systems. Given that the ordinance is in draft form the commission moved to postpone the review of the ordinance at a later date during a special meeting. The date and time is to be decided at the June planning commission meeting. K. Bhardwaj suggested including an exception to the riser requirements in certain circumstances if it is inappropriate.

VI. STAFF REPORT.

Parker reconfirmed the Proposition 50 grant funding was approved. She mentioned that there will be a big town hall meeting in June to kick off the Prop 50 program and the activities to be included.

V. COUNCIL LIAISON
Not Present.

VIII. ADJOURNMENT
The meeting was adjourned at 8:55

Respectfully submitted by: Michelle Bedard
Streamline Planning Consultants Intern